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Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction

New York, 1-5 February 2010

Provisional agenda

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organization of work.
4. Examination of the scientific, technical, economic, legal, environmental, socio-economic and other aspects of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, including activities of the United Nations and other relevant international organizations.
5. Indication, where appropriate, of possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.
6. Identification of key issues and questions where more detailed background studies would facilitate consideration by States of these issues.
7. Consideration of recommendations to the General Assembly.
8. Other matters.
9. Closure of the meeting.

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Draft format and draft annotated provisional agenda and organization of work*

I. Draft format

1. The meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction is convened pursuant to paragraph 127 of General Assembly resolution 63/111, and resolution 64/71. In paragraph 146 of resolution 64/71, the Assembly requested the Secretary-General to convene a meeting of the Working Group from 1 to 5 February 2010 to provide recommendations to the General Assembly. The Working Group was established by the Assembly in paragraph 73 of resolution 59/24.

Methods of work

2. The meeting will be presided over by two Co-Chairpersons, Ambassador Palitha T. B. Kohona, Permanent Representative of the Democratic Socialist Republic of Sri Lanka, and Liesbeth Lijnzaad, Legal Adviser, Ministry of Foreign Affairs of the Kingdom of the Netherlands, who were appointed by the President of the General Assembly in consultation with Member States and taking into account the need for representation from developed and developing countries.

3. The Co-Chairpersons elaborated a draft format for the discussions in the Working Group, in order to best facilitate its work.

4. A "Friends of the Co-Chairpersons Group" will be established to assist the Co-Chairpersons.

* The present document was submitted after the deadline in order to allow its preparation by the Co-Chairpersons, following their appointment by the President of the General Assembly on 22 December 2009.

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5. The meeting of the Working Group will work through plenary sessions, which will be open to participation by all those listed in paragraph 79 of General Assembly resolution 60/30 and, by reference, in paragraph 127 of resolution 63/111. Further, in conformity with those paragraphs, the meeting may be conducted in closed sessions, as appropriate, in accordance with the relevant rules of procedure applicable to the meeting of the Working Group.

Agenda

6. The two Co-Chairpersons will propose a provisional agenda for the meeting of the Working Group. The meeting will consider and adopt its agenda accordingly. To aid delegations in preparing for the meeting of the Working Group, the two Co-Chairpersons have also proposed an annotated provisional agenda and organization of work in advance of the meeting. In addition, pursuant to paragraph 128 of General Assembly resolution 63/111, the Secretary-General has submitted a report to the Assembly at its sixty-fourth session to assist the Working Group in preparing its agenda. The report is available as document A/64/66/Add.2.

Outcome of the meeting of the Working Group

7. The Working Group has been mandated by the General Assembly, in paragraph 127 of resolution 63/111, and paragraph 146 of resolution 64/71, to provide recommendations to the Assembly. The Co-Chairpersons will propose draft recommendations for the consideration of the Working Group and delegations will have an opportunity to propose amendments to the draft recommendations prior to their adoption. The recommendations adopted by the Working Group will be made available to the General Assembly at its sixty-fifth session as part of a report of the meeting, which will be transmitted by the Co-Chairpersons to the President of the sixty-fifth session of the Assembly.

II. Draft annotated provisional agenda and organization of work

Monday, 1 February 2010

10 a.m.-1 p.m.

Item 1. Opening of the meeting

8. The meeting of the Working Group will be opened by the Secretary-General of the United Nations or his representative.

9. The Co-Chairpersons will make opening remarks.

Item 2. Adoption of the agenda

10. The Working Group will be invited to consider and, as appropriate, to adopt the agenda of the meeting, as contained in document A/AC.276/L.3.

Item 3. Organization of work

11. The Working Group will be invited to consider the organization of work for the meeting, as contained in the present document.

12. The schedule of agenda items is indicative: agenda items may be advanced, depending on the progress made in the discussions.

Item 4. Examination of the scientific, technical, economic, legal, environmental, socio-economic and other aspects of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, including activities of the United Nations and other relevant international organizations

13. Under this item, delegations will be invited to address the issues referred to in paragraph 73 (a) and (b) of General Assembly resolution 59/24, namely: to survey the past and present activities of the United Nations and other relevant international organizations with regard to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction; and to examine the scientific, technical, economic, legal, environmental, socio-economic and other aspects of these issues.

14. In this context, delegations will be invited to address, inter alia, the issues referred to in paragraphs 142 and 148 of resolution 64/71. In paragraph 142, the General Assembly, inter alia, called upon States to further consider the relevant legal regime on marine genetic resources in areas beyond national jurisdiction in accordance with the United Nations Convention on the Law of the Sea in the context of the mandate of the Working Group, with a view to making further progress on this issue. In paragraph 148, the Assembly invited States to further consider, at the upcoming meeting of the Working Group, in the context of its mandate, issues of marine protected areas and environmental impact assessment processes.

15. Relevant information is contained in the report of the Secretary-General on oceans and the law of the sea (A/64/66/Add.2, paras. 11-182).

3-6 p.m.

Item 4. Examination of the scientific, technical, economic, legal, environmental, socio-economic and other aspects of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, including activities of the United Nations and other relevant international organizations (continued)

Tuesday, 2 February 2010

10 a.m.-1 p.m.

Item 5. Indication, where appropriate, of possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction

16. Under this item, delegations will be invited to address the issues referred to in paragraph 73 (d) of resolution 59/24, namely, to indicate, where appropriate, possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.

17. In this context, delegations will also be invited to address, inter alia, the issues referred to in paragraphs 142 and 148 of resolution 64/71.

18. Relevant information is contained in the report of the Secretary-General on oceans and the law of the sea (A/64/66/Add.2, paras. 183-235).

19. Accordingly, it is proposed that delegations indicate, where appropriate, possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, in the following order:

(a) Strengthening the information base, in particular with the aim of filling knowledge gaps and addressing management, access to and dissemination of information (A/64/66/Add.2, paras. 192-203);

(b) Capacity-building and technology transfer (A/64/66/Add.2, paras. 204-211).

3-6 p.m.

Item 5. Indication, where appropriate, of possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (continued)

(c) Implementation, with a focus on implementation gaps in the international legal and policy framework (A/64/66/Add.2, paras. 212-217);

(d) Integrated ocean management and ecosystem approaches (A/64/66/Add.2, paras. 218-222) as well as cross-sectoral cooperation and coordination (A/64/66/Add.2, paras. 187-191).

Wednesday, 3 February 2010

10 a.m.-1 p.m.

Item 5. Indication, where appropriate, of possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (continued)

(e) Environmental impact assessments (A/64/66/Add.2, paras. 223 and 224);

(f) Area-based management tools, in particular marine protected areas (A/64/66/Add.2, paras. 225-230).

3-6 p.m.

Item 5. Indication, where appropriate, of possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (continued)

(g) Marine genetic resources, with a particular focus on the relevant legal regime in accordance with the Convention (A/64/66/Add.2, paras. 231-235).

Thursday, 4 February 2010

10 a.m.-1 p.m.

Item 6. Identification of key issues and questions where more detailed background studies would facilitate consideration by States of these issues

20. Under this item delegations will be invited to address the issues referred to in paragraph 73 (e), of resolution 59/24, namely, to identify key issues and questions where more detailed background studies would facilitate consideration by States of these issues.

21. Discussions under this item will take into account paragraphs 142 and 148 of resolution 64/71.

22. Relevant information is contained in the report of the Secretary-General on oceans and the law of the sea (A/64/66/Add.2, paras. 236-259).

3-6 p.m.

Item 7. Consideration of recommendations to the General Assembly

23. The Co-Chairpersons will propose draft recommendations for the consideration of the Working Group. Delegations will have an opportunity to comment on the draft and adopt recommendations to be transmitted to the General Assembly, as requested in paragraph 127 of resolution 63/111 and paragraph 146 of resolution 64/71.

Friday, 5 February 2010

10 a.m.-1 p.m.

Item 7. Consideration of recommendations to the General Assembly (continued)

3-6 p.m.

Item 7. Consideration of recommendations to the General Assembly (continued)

Item 8. Other matters

24. The Working Group will consider any other matters that delegations may wish to raise.

Item 9. Closure of the meeting.